

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): Driesen et al.
Case: 5-3
Serial No.: 10/562,617
Filing Date: May 23, 2007
Group: 2617
Examiner: Yu Gu

Title: Method and Apparatus For Backwards Compatible Communication in a Multiple Antenna Communication System Using FDM-Based Preamble Structures

TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

1. Appeal Brief;
2. Copy of Notice of Appeal, filed on September 30, 2010, with copy of Electronic; and Acknowledgment Receipt indicating receipt of Notice by PTO on September 30, 2010.

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error.

Respectfully,



Date: November 30, 2010

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Electronic Acknowledgement Receipt

EFS ID:	8531537
Application Number:	10562617
International Application Number:	
Confirmation Number:	6193
Title of Invention:	Methods and Apparatus for Backwards Compatible Communication in a Multiple Antenna Communication System Using FDM-Based Preamble Structures
First Named Inventor/Applicant Name:	Bas Driesen
Customer Number:	47386
Filer:	Kevin M. Mason
Filer Authorized By:	
Attorney Docket Number:	Driesen 5-3
Receipt Date:	30-SEP-2010
Filing Date:	23-MAY-2007
Time Stamp:	11:40:42
Application Type:	U.S. National Stage under 35 USC 371



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Payment Type	Credit Card
Payment was successfully received in RAM	\$1030
RAM confirmation Number	1095
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Notice of Appeal Filed	1150-1277_NoticeofAppeal_09302010.pdf	58702 2a224e3d44355c9f134c96c8a34304c22c732f5703a	no	1
Warnings:					
Information:					
2	Fee Worksheet (PTO-875)	fee-info.pdf	32063 0a0c8d8f0e10eac3a363987c53c347260947d8e1	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			90765		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p>New Applications Under 35 U.S.C. 111 If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p>National Stage of an International Application under 35 U.S.C. 371 If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p>New International Application Filed with the USPTO as a Receiving Office If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the International filing date of the application.</p>					

COPY



NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) Driesen 5-3					
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on _____ Signature _____ Typed or printed name _____		In re Application of Driesen et al. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number 10/562,617</td> <td style="padding: 2px;">Filed May 23, 2007</td> </tr> </table> For Method and Apparatus For Backwards Compatible Communication in a Multiple Antenna Communication System Using FDM-Based Preamble Structures <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Group Art Unit 2617</td> <td style="padding: 2px;">Examiner Yu Gu</td> </tr> </table>		Application Number 10/562,617	Filed May 23, 2007	Group Art Unit 2617	Examiner Yu Gu
Application Number 10/562,617	Filed May 23, 2007						
Group Art Unit 2617	Examiner Yu Gu						
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 540.00</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0762</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record.</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____</p> <div style="text-align: right; margin-top: 10px;"> _____ Signature _____ Typed or printed name _____ Date </div> <p style="font-size: small;">NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p>							
<input type="checkbox"/> Total of _____ forms are submitted.							